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Docket No.: 000166.0109-US02
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David Edwards et al.

Application No.: 10/771,551

Group Art Unit: 3743

Filed: February 5, 2004

Examiner: Not Yet Assigned

For: INHALATION DEVICE AND METHOD

06/30/2004 EFLORES 00000112 10771551

01 FC:1808

130.00 OP

TRANSMITTAL LETTER

Filing Receipt Corrections

Office of Initial Patent Examination

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced
Patent Application:

1. Fee Transmittal;
2. Statement under 37 C.F.R. 1.63(d)(2);
3. Request for Corrected Filing Receipt;
4. Marked-up copy of the official Filing Receipt;
5. Check No. 330526 for \$130.00 to cover the processing fee for change of
inventorship; and
6. Return receipt postcard.

~~06/30/2004 EFLORES 00000112 10771551~~

~~01 FC:1808~~

~~130.00 OP~~

~~06/29/2004 EFLORES 00000084 10771551~~

~~01 FC:1460~~

~~130.00 OP~~

DC: 1452928-1

Adjustment date: 06/30/2004 EFLORES

06/29/2004 EFLORES 00000084 10771551

01 FC:1460

-130.00 OP

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0740, under Docket No. 000166.0109-US02. A duplicate copy of this paper is enclosed.

It is not believed that extensions of time fees are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 50-0740.

Dated: June 25, 2004

Respectfully submitted,

By 

Andrea G. Reister

Registration No.: 36,253

COVINGTON & BURLING

1201 Pennsylvania Avenue, N.W.

Washington, DC 20004-2401

(202) 662-6000

Attorney for Applicant



Docket No.: 000166.0109-US02
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David Edwards et al.

Application No.: 10/771,551

Confirmation No.: 2801

Filed: February 5, 2004

Art Unit: 3743

For: INHALATION DEVICE AND METHOD

Examiner: Not Yet Assigned

REQUEST FOR CORRECTED FILING RECEIPT

Filing Receipt Corrections
Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. It is requested that the inventorship data be corrected as listed below. A marked-up copy of the filing receipt with changes noted in red is attached.

The above-identified application is a divisional application that has fewer than all of the inventors named in the prior application. This Request for Corrected Filing Receipt is filed concurrently with a Statement under 37 CFR § 1.63(d)(2), which allows the deletion of inventors without the filing of a new oath or declaration. The Application Data Sheet filed with the divisional application was correct in that it listed only the inventors that contributed to the claims in this divisional application.

Under the section for Applicant(s), please delete the name of the following inventors:

Sarah Dressen;

Mark DeLong;

Andrew Jones;

Ryan McManus;

Margaret Millar Saunders;

Robert W. Spaller; and

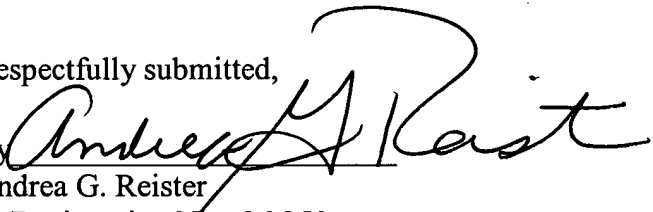
Andrew Ziegler.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Dated: June 25, 2004

Respectfully submitted,

By


Andrea G. Reister

Registration No.: 36,253
COVINGTON & BURLING
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004-2401
(202) 662-6000
Attorney for Applicant



<h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2004</h3> <p style="font-size: small; margin: 0;">Effective 10/01/2003. Patent fees are subject to annual revision.</p>		Complete if Known																																																																																																																																																																																																																																																																																												
<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</div> <div style="display: flex; justify-content: space-between;"><div>TOTAL AMOUNT OF PAYMENT</div><div>(\$) 130.00</div></div>		Application Number	10/771,551-Conf. #2801																																																																																																																																																																																																																																																																																											
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<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">METHOD OF PAYMENT (check all that apply)<div style="margin-top: 5px;"><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None</div><div style="margin-top: 5px;"><input type="checkbox"/> Deposit Account:<div style="border: 1px solid black; padding: 2px; margin-top: 5px;">50-0740</div><div style="border: 1px solid black; padding: 2px; margin-top: 5px;">Covington & Burling</div></div><div style="margin-top: 5px;">The Director is authorized to: (check all that apply)<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Charge fee(s) indicated below</div><div><input checked="" type="checkbox"/> Credit any overpayments</div></div><div><input type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)</div><div><input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.</div></div></div><div style="width: 50%;">FEE CALCULATION<div style="margin-top: 5px;">1. BASIC FILING FEE<table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Code</th><th>Fee (\$)</th><th>Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="5" style="text-align: right;">SUBTOTAL (1)</td><td>(\$) 0.00</td></tr></tbody></table></div><div style="margin-top: 5px;">2. 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ADDITIONAL FEES<table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="4">Other fee (specify)</td><td>1808</td><td>Processing fee, except in provisional applications</td><td>130.00</td></tr><tr><td colspan="5" style="text-align: right;">SUBTOTAL (3)</td><td>(\$) 130.00</td></tr></tbody></table></div></div> <div style="margin-top: 5px; 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SUBMITTED BY

Name (Print/Type) Andrea G. Reister

Signature

Registration No. (Attorney/Agent) 36,253

Telephone (202) 662-6000

Date June 25, 2004



Docket No.: 000166.0109-US02
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David Edwards et al.

Application No.: 10/771,551

Confirmation No.: 2801

Filed: February 5, 2004

Art Unit: 3743

For: INHALATION DEVICE AND METHOD

Examiner: Not Yet Assigned

STATEMENT UNDER 37 C.F.R. 1.63(D)(2)

Filing Receipt Corrections
Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.63(d)(2), it is hereby requested that the following inventors be deleted because they are not inventors of the subject matter claimed in the above-captioned divisional application:

Sarah Dressen;

Mark DeLong;

Andrew Jones;

Ryan McManus;

Margaret Millar Saunders;

Robert W. Spaller; and

Andrew Ziegler.

The above-captioned application is a divisional of prior application number 10/268,059, filed October 10, 2002. In accordance with 37 C.F.R. § 1.63(d)(1), a newly executed oath or declaration is not required in a divisional application provided that the divisional application is filed by all or fewer than all of the inventors named in the prior application, and that a copy of the declaration filed in the prior application is submitted for the divisional application. The above-captioned application was filed by fewer than all of the inventors named in the prior application, and a copy of the declaration filed in the prior application was submitted. In accordance with 37 C.F.R. § 1.63(d)(2), the copy of the declaration in the divisional application must be accompanied by a statement requesting the deletion of the names of the persons who are not inventors in the divisional application. The U.S. Patent and Trademark Office is hereby requested to treat this paper as the statement under 37 C.F.R. § 1.63(d)(2), and delete the names of the persons listed above who are not inventors in the above-captioned divisional application.

Dated: June 25, 2004

Respectfully submitted,

By 

Andrea G. Reister

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/771,551	02/05/2004	3743	1856	000166.0109-US02	20	66	6

CONFIRMATION NO. 2801

26853
 COVINGTON & BURLING
 ATTN: PATENT DOCKETING
 1201 PENNSYLVANIA AVENUE, N.W.
 WASHINGTON, DC 20004-2401

FILING RECEIPT



OC000000012529509

Date Mailed: 05/05/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

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Assignment For Published Patent Application

Advanced Inhalation Research, Inc., Cambridge, MA;

Domestic Priority data as claimed by applicant

This application is a DIV of 10/268,059 10/10/2002 PAT 6,732,732
 which is a CIP of 09/835,302 04/16/2001

Foreign Applications

If Required, Foreign Filing License Granted: 05/04/2004

Projected Publication Date: 08/12/2004

Non-Publication Request: No

Early Publication Request: No

Title

Inhalation device and method

Preliminary Class

128

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